**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL**

**WRIT PETITION No. 1269 (ms) of 2005**

Badar Singh,
S/o late Shri Umrao Singh,
R/o Village Parsari (Auli), Patwari Circle Joshimath,
Tehsil Joshimath, District Chamoli. .....Petitioner.

Versus

1. District Judge, Chamoli.
2. Gule Kishore,
   S.T.A. Defence Agriculture Research,
   Laboratory, Parsari, Auli, Tehesil Joshimath,
   District-Chamoli.
3. Union of India, through
   Secretary, Defence Government of India,
   New Delhi. .....Respondents.

**Hon'ble Rajesh Tandon, J.**

Heard Sri R.P. Nautiyal, Advocate for the petitioner and Standing Counsel for the State and Sri Arvind Vashisth, Advocate for the Union of India.

By the present writ petition, the petitioner has prayed for a writ of Certiorari quashing the judgment and order dated 20.10.2005 (Annexure No. 5 to the writ petition) passed by the District Judge, Chamoli/respondent no. 1 in Misc. Civil Appeal No. 11 of 2005 Kishore Gule Vs. Badar Singh and allow the application (paper No. 6C2) filed on behalf of petitioner for temporary injunction.

Briefly stated, a suit was filed by the petitioner being suit NO. 39 of 2005 Badar Singh V. Gule Kishore and another before the Civil Judge (Senior Division), Chamoli for permanent injunction. Along with the suit the petitioner also filed an application (paper No. 6C2) for temporary injunction supported by an affidavit (paper No. 7C2) on the same day.

The trial Court vide its order dated 11.08.2005 allowed the application of the petitioner (paper No. 6C2) for temporary injunction and directed the parties to maintain status quo over the land in dispute. The order of status quo was granted in the month of August, 2005 and more than 10 months have already passed.

In view of that the Civil Judge is directed to dispose of the suit within a period of 6 months from the date of presentation of the certified copy of the order. Till then the interim order dated 29.10.2005 shall continue.

Subject to the aforesaid, I find no merit in the writ petition and is dismissed. No order as to costs.

**(Rajesh Tandon, J.)**

10.07.2006
*Rathour*